

IDAHO FOREST LEGACY PROGRAM

PROJECT ELIGIBILITY CRITERIA

- 1. Project must meet the goals and objectives (identified in application) of the Forest Legacy Program review committee.**
- 2. Project must be in an Idaho Forest Legacy Priority Area and a forest type listed in the Idaho Assessment of Need.**
- 3. Project must be sponsored by a federal or state agency or a land trust organization.**
- 4. Project must be privately owned (non federal, State, or local government).**
- 5. Project must be at least five (5) acres in size.**
- 6. Project must include a minimum 25% cash or in-kind, non-federal match. Forest Legacy Program will fund up to 75% of acquisition costs only.**
- 7. Parcel must be 90% forestland (defined as land with trees that has at least 10% canopy cover or that formerly had such tree cover and is not currently developed for non-forest use).**
- 8. Landowners agree to follow federal Forest Legacy Program requirements and implementation rules which include:**
 - Accepting a State contracted appraisal that meets standard federal appraisal guidelines**
 - Managing the property by means of a Landowner Forest Stewardship Plan (LFSP) approved through the Idaho Forest Stewardship Program**
 - Agreeing that a funded project will not receive payment until federal funding has been secured**
 - Allowing an annual inspection for conservation easement (CE) compliance.**
 - Signing a *perpetual* conservation easement with the State of Idaho, with the stated purposes of maintaining, enhancing, or conserving in perpetuity the forestland and conservation values of the property, which will *limit or restrict* one or more uses on the property (typically, the more uses that are limited and/or restricted, the greater the value of conservation easement. Every conservation easement is individually tailored to address the specific characteristics of a particular property, its conservation values, and the needs/desires of the landowner and the intent of the Forest Legacy Program).**

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REQUIRED RESTRICTIONS

The following items are general summaries of provisions included in the conservation easements. Exact language within the easements may differ from that provided for below.

- 1. Legal division, subdivision, or de facto subdivision of the Property through sales, leases, or otherwise, unless use of the property following the division or subdivision will be consistent with the purposes of the easement. The FLP CE is perpetual and remains with the property regardless of future ownership.**
- 2. Construction or placement of any new commercial or residential buildings, structures, or mobile homes, unless identified and planned for at the time of the CE purchase, with the exception of minor non-residential buildings or structures (such as sheds, irrigation or water systems, fencing, etc), and the exception of very limited non-commercial development rights, not to sever ownership or create separate in-holdings, and not to exceed one (1) acre per site, provided that such development and use of the property are consistent with the purposes of the easement.**
- 3. Storage, dumping, or disposal of toxic or hazardous waste.**
- 4. Irreversibly changing, disturbing, or impairing significant natural ecological features and values, with the exception of permitted uses.**
- 5. Introducing or releasing nonnative plant species. Introduction or release of nonnative wildlife species must be approved by Idaho Department of Fish and Game.**
- 6. Establishment or operation of any golf course, industrial dairy, commercial feedlot, wild game farming, commercial lodging or guest ranching facilities.**
- 7. In the event that a subsequent sale or exchange should result in a merger of the ownership of land and the CE by the State, the original Grantor must substitute other lands or interests in lands of at least equal fair market value and of reasonably equivalent location, with public purposes that equal or exceed those of the disposed tract, in order to ensure that there is no net loss of value of land under FLP conservation easement.**
- 8. Extraction of minerals, soil, sand, gravel or rock must be bonded, and produce and carry out a reclamation plan, whether for commercial *or* private use. Site disturbance at any one time cannot be greater than five (5) acres.**
- 9. Installation of new utilities, utility towers, or necessary related utility structures, unless such installations and uses of the property are consistent with the purposes of the easement.**

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NEGOTIABLE RESTRICTIONS (to be evaluated on a project by project basis)

- 1. Exploration for or development and extraction of gas, oil, hydrocarbons, minerals and geothermal resources by any surface or subsurface mining.**
- 2. Construction of new roads or vehicle trails.**
- 3. Installation of new utilities, utility towers, or necessary related utility structures.**
- 4. Use for grazing or pasturing of livestock.**
- 5. Use and access by the public.**
- 6. Sales and exchanges of parcels, on a limited basis, for the purposes of boundary adjustments, eliminating in-holdings, consolidating ownership and/or improving the capacity of the Grantor to effectively manage the property, provided that such sales or exchanges and uses of the newly acquired property are consistent with the purposes of the easement.**
- 7. Construction or placement of any signs, billboards or other advertising materials.**
- 8. Use of snowmobiles, all-terrain vehicles, motorcycles, or other motorized vehicles off of roads or travel ways for property management or other purposes. If these activities are negotiated to be restricted, the Property owner retains enforcement responsibility.**
- 9. Extraction of soil, sand, gravel or rock.**
- 10. Establishment of compatible commercial activities, including, but not limited to, outfitting or guiding.**

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CRITERIA THAT WILL ENHANCE APPLICATION RANKING

- 1. Readiness: a signed option, draft LFSP, draft Conservation Easement and public letters of support are all completed *at time of application*. Meeting these criteria will *significantly* enhance the ranking of an application.**
- 2. Higher non-federal match percentages.**
- 3. Potentially lower per acre easement value. This is particularly important when considering two or more easements with *similar* characteristics and conservation values.**
- 4. Larger contiguous acreages. Parcels less than 100 acres will rank very low unless there are significantly unique environmental values to conserve.**
- 5. Designated public access uses, except in cases where primary goal is conservation of threatened and endangered species.**
- 6. Connection to other publicly or privately protected lands (USFS, USFWS, IDFG, BLM, Land Trusts, FLP conservation easements, etc).**
- 7. Contribution to local economies.**
- 8. Contribution to environmental values by conserving habitats and species.**
- 9. Protection of cultural, scenic or other public resources.**
- 10. Threat of by conversion to non-forest uses within the next 3 years.**
- 11. Multiple funding partners and supporters.**
- 12. History of forest management use.**
- 13. Tax category 6 or 7 for at least 5 years.**